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Patent  
Attorney Docket No. GEMS8081.045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gupta et al.  
Serial No. : 09/748,520  
Filed : December 22, 2000  
For : METHOD AND APPARATUS FOR DISPLAYING  
REAL-TIME STATUS OF PRODUCT AVAILABILITY,  
ORDERS, AND SALES REVENUE  
Group Art No. : 2171  
Examiner : Le, U.

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CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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Date: September 8, 2006

/Keyin R. Rosin/  
Signature

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Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**  
**MAILED AUGUST 9, 2006**

Dear Sir:

Responsive to the Notice of Non-Compliant Appeal Brief mailed August 9, 2006, Applicant requests consideration of the remarks set forth below:

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**REMARKS**

In the Notification of Non-Compliant Appeal Brief, the Examiner stated that the Appeal Brief filed on January 30, 2006 was non-compliant in that (1) the Summary of Claimed Subject Matter is deficient in that it does not map the claimed invention to the independent claims, and (2) the Grounds of Rejection section is deficient because it does not state the specific rejections to be presented for review. See Notification of Non-Compliant Appeal Brief, August 9, 2006. In response, Appellant has amended section, 5. **Summary of the Claimed Subject Matter**, to include identification of all the independent claims and the summaries thereof. Also, Appellant has amended section, 6. **Grounds of Rejection to be Reviewed on Appeal**, to include the specific grounds of rejection to be reviewed. Please find attached an amended Appeal Brief incorporating the amendments identified above.

Respectfully submitted,

/Timothy J. Ziolkowski/

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Dated: September 8, 2006  
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Gupta et al.

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- Transmission**
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Date: September 11, 2006

/Kevin R. Rosin/  
Signature

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Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF PURSUANT TO 37 C.F.R. §§1.191 AND 1.192**

Dear Sir:

This Appeal Brief is being filed in furtherance of the Notice of Appeal filed on November 28, 2005.

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1. **REAL PARTY IN INTEREST:**

The real party in interest is General Electric Company, the Assignee of the above-referenced application by virtue of the Assignment recorded on April 20, 2004, recorded at reel 016212, frame 0534 and the Assignment recorded on April 12, 2001, recorded at reel 011718, frame 0492.

2. **RELATED APPEALS AND INTERFERENCES:**

Appellant is unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellant's legal representative in this Appeal. General Electric Company, the Assignee of the above-referenced Application, as evidenced by the documents mentioned above, will be directly affected by the Board's decision in the pending appeal.

3. **STATUS OF THE CLAIMS:**

Claims 1-35 are currently pending, and claims 1-35 are currently under final rejection and, thus, are the subject of this appeal.

4. **STATUS OF AMENDMENTS:**

In the Advisory Action of November 4, 2005, the Examiner indicated that the amendments to the claims as presented in the Response of October 12, 2005, have not been entered for purposes of appeal. Contrary to the Examiner's indication, no amendments have been presented subsequent to the *Ex Parte Quayle* Action of January 12, 2005 wherein the Examiner allowed all of the pending claims but requested Appellant provide (1) a "mapping of features claimed with features shown in Exhibit A" of an inventor declaration and (2) an early draft of the application.

5. **SUMMARY OF THE CLAIMED SUBJECT MATTER:**

Claim 1 calls for a method for displaying real-time status of product availability is disclosed which includes the steps of automatically querying a database (14) for data about a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment for the plurality of products (72), and if the date does not exist (74a), skipping that product (76). *Application*, pg. 11, ¶30. For each product that is not skipped (74b), the method calls for counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available (78). *Id.* The method further displays a listing of each product and when the product is available for shipment (82, 86, 90) for product availability management. *Id.*

Another aspect of the claimed invention is set forth in claim 8 and includes a computer-readable medium having stored thereon one or more computer programs that, when executed by one or more computers (10), causes the one or more computers to populate (18) a database (14) with data to include a

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date when each product will be available for shipment for a plurality of products (28). Application, pg. 11, ¶31. The computers are caused to periodically query the database (70) to obtain the date for each product (74) while ignoring those products that do not have a valid shipment date (76) and count a number of days for each product between a current date and the date when the product will be ready for shipment (78) to create a number of days before each product is available (80, 84, 88). Id., including pg. 12, first paragraph. The computer readable storage medium causes the one or more computers to store the number of days before each product is available (32) in temporary tables (30) and access the temporary tables (30) to display the number of days before each product is available (82, 86, 90) and update the temporary tables (66) periodically. Id., pg. 10, ¶28.

Claim 16 sets forth a further aspect of the claimed invention including a computer data signal representing a sequence of instructions that, when executed by one or more processors (16), cause the one or more processors (16) to maintain a database (14) containing at least a date when each product will be ready for shipment (28). Application, pg. 12, ¶32. The sequence of instructions cause the processor to periodically obtain from the database (72) the date when each product will be ready for shipment (74b) while ignoring an entry (76) if such date does not exist (74a). Id. The processor is caused to count a number of days between today and the date each product will be ready for shipment (78) to create a number of days before each product is available (80, 84, 88) and store the number of days (54) before each product is available in temporary tables (30). Id. The sequence of instructions cause the processor to display the corresponding date when the product will be available (84, 86, 90) and update (54) the temporary tables (30) to maintain a listing of the number of days before each product is available. Id.

According to another aspect of the claimed invention, claim 23 sets forth a method for displaying real-time status of product availability is disclosed which includes automatically querying a database (14) at regular time intervals (72) for a date when each product will be ready for shipment for a plurality of products (74), and if the date does not exist (74a), skipping that product (78) and otherwise (74b) for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available (78). Application, pg. 12, ¶32. The method further comprises displaying when the product is available for shipment (82, 86, 90) and, wherein the step of querying also includes querying the database for a number of orders, a product category for each order, and sales revenue for each order (98, 102), the method includes adding the number of orders for each product category to create a sum of the number of orders for each product category and adding the sales revenue from each order in each product category to create a sum of the total revenue for each product category (Fig. 2, A). Id., pgs 7-8, ¶25; pg. 14, ¶36. The method further

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calls for displaying the sum of the number of orders for each product category; and displaying the sum of the total revenue for each product category (136). Id., pg. 14, ¶36.

Yet another aspect of the claimed invention set forth in claim 26 includes a method for displaying real-time status of product availability which includes automatically querying a database (14) at a regular time interval for a date when each product will be ready for shipment for a plurality of products (72), and if the date does not exist (74A), skipping that product (76), otherwise (74b), for each product, counting a number of days between a current date and the date when each product will be ready for shipment to create a number of days before each product is available (78). Application, pg. 12, ¶32. The method further calls for storing the number of days before each product will be available in temporary tables (30), accessing the temporary tables (30) to display when each product is available for shipment (82, 86, 90), and updating the temporary tables at the regular time interval (93). Id., pg. 11, ¶31.

A final claimed aspect of the present invention, called for in claim 30, includes a system for displaying real-time product information (10) which includes a database (14) containing data related to a plurality of product categories and a processing system (34, 70, 93, 105, 127) capable of automatically accessing the data contained in the database (14) at regular time intervals and performing calculations using the data wherein the data pertains to one of product availability, product shipment, and revenue (98, 102). Application, pg. 14, ¶36. The system includes a temporary table (30) capable of storing the results of calculations performed by the processing system and means for displaying (82, 86, 90, 136) the results stored in the temporary table (30) for product management. Id.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL:**

The Examiner rejected claims 1-7, and 22-25 under 35 U.S.C. §102 (e) as being anticipated by Christensen et al (US Pub. 2002/016694). The Examiner also rejected claims 8-21 and 26-35 under 35 U.S.C. §103(a) as being unpatentable over Christensen et al in view of Parad (USP 5,369,570). After initially allowing all pending claims, the Examiner failed to give proper consideration to Appellant's 37 C.F.R. §1.131 Declaration filed December 31, 2003 (hereinafter the §1.131 Declaration, a copy included herewith in the Evidence Appendix). Final Office Action of August 26, 2005, pgs. 2-8. In accordance with MPEP §715.08, Appellant requests the Boards review of the merits of the Examiner's rejection and favorable action thereover.

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**7. ARGUMENT:**

**REJECTION UNDER 35 U.S.C. §102 (E) AS BEING ANTICIPATED BY CHRISTENSEN ET AL (US PUB. 2002/016694) & REJECTION UNDER 35 U.S.C. §103(A) AS BEING UNPATENTABLE OVER CHRISTENSEN ET AL IN VIEW OF PARAD (USP 5,369,570)**

**Rejection of Claims 1-35**

Claims 1-35 are currently pending in the present Application. In the Final Office Action of August 26, 2005, the Examiner maintained the rejection of claims 1-7 and 22-25 under 35 U.S.C. 102(e) as being anticipated by Christensen et al. (US 2002/0156694) and the rejection of claims 8-21 and 26-35 under 35 U.S.C. 103(a) as being unpatentable over Christensen et al. in view of Parad (USP 5,369,570). Final Office Action of August 26, 2005, pgs. 2-8. The Examiner's initial application of Christensen et al. occurred in the Office Action of October 4, 2003. Office Action of October 4, 2003, pgs. 2-6.

Responding to the Office Action of October 4, 2003, and the rejections based in whole or in part on Christensen et al. stated therein, Appellant filed a Declaration under 37 C.F.R. §1.131 executed by Inventor Yenerich. Response of December 31, 2003, pgs. 10 and 11; the §1.131 Declaration. Exhibit A of the Declaration is identified in the Declaration as a disclosure of the invention to the inventors' employer. The §1.131 Declaration, note 4. In the body of the Declaration document, addressing that which is disclosed in Exhibit A, Inventor Yenerich affirmatively stated that the inventors of the above-captioned application, prior to December 12, 2000 -- the filing date of Christensen et al. -- conceived in the United States, the invention as set forth in the claims of the present Application. The §1.131 Declaration, notes 1-3.

Thereafter, in an Office Action mailed April 30, 2004, the Examiner accepted the Declaration and Exhibit as sufficient to establish a date of priority before the earliest date of Christensen et al. Office Action of April 30, 2004, pg. 2, ¶1. Specifically, the Examiner stated "[t]he affidavit filed on 31 December 2003 under 37 CFR 1.131 is sufficient to overcome the Christensen et al (US 2002/0156694) reference." Id. Subsequent thereto, the Examiner allowed claims 1-35 in an *Ex parte Quayle* Action mailed January 12, 2005. Ex parte Quayle Action of January 12, 2005, pg. 2, ¶¶1,2. In the *Ex parte Quayle* Action of January 12, 2005 the Examiner requested (1) "a mapping of features claimed with features shown in Exhibit A" and (2) suggested Applicant "submit[s] a copy of the specification drafted before 12 December 2000 since the application was filed ten days later, on 22 December 2000." Ex parte Quayle Action of January 12, 2005, p. 2, ¶2.

Responsive thereto, in the Response of February 1, 2005, Applicant directed the Examiner's attention to allowance of the claims over Christensen et al. and advised the Examiner that MPEP

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§701.02(b) sets forth the formal matters which are addressable with *Ex Parte Quayle* practice. Response of February 1, 2005, pg. 9. The scope of the Examiner's request is not supported by *Ex parte Quayle* practice and the Declaration had been indicated as acceptable. Subsequent thereto, in the Office Action of April 25, 2005, the Examiner re-opened prosecution and reinstated the rejection of claims 1-35 over Christensen et al. stating that "Applicant argues that the request of the examiner is unusual and has not provided the information requested. Therefore, the Quayle action ... is withdrawn" and the "[r]ejection of claims 1-35 using Christensen et al is reinstated." Office Action of April 25, 2005, p. 2, ¶4. The Examiner did not provide any support for why the previously accepted Declaration is now considered "defective" and reopened prosecution.

The Examiner stated that "[t]here is no complete disclosure to another of the claimed 'counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available and displaying a listing of each product when the product is available'." Ex parte Quayle Action of January 12, 2005, pg. 2, ¶2. The Examiner's conclusion requires complete disregard for that which Inventor Yenerich attests to in the §1.131 Declaration. The Examiner appears to require a verbatim recitation of that which is claimed in the Exhibit.

Title 37 C.F.R. §1.131(a) states that "[w]hen any claim of an application ... is rejected, the inventor of the subject matter of the rejected claim... may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based." 37 C.F.R. §1.131(a). Title 37 C.F.R. §1.131(b) further states that "[o]riginal exhibits of drawings or records, or photocopies thereof, must accompany and form part of the... declaration or their absence must be satisfactorily explained." 37 C.F.R. §1.131(b), (Emphasis added). That is, not only can a Declaration be filed without supplemental documentation if satisfactory explanation is provided as to the absence of the documentation, the supplemental documentation or exhibits are only part of the evidence considered when reviewing the declaration. The exhibit need not include the text of the claims. To require such is, at a minimum, impractical, but more likely is an unsatisfiable requirement since claims are usually drafted by an attorney and disclosure/evidence is drafted by an inventor at dates that predate even the thought of the claim.

MPEP §715.07.I further states that "when reviewing a 37 CFR 1.131 ... declaration, the examiner must consider all of the evidence presented in its entirety, including the ... declarations and all accompanying exhibits, records and 'notes'" and that "[a]n accompanying exhibit need not support all claimed limitations, provided that any missing limitation is supported by the declaration itself." MPEP §715.07.I, (emphasis added). The Examiner has provided no argument or reasoning as to what authorizes



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the disregard of Inventor Yenerich's sworn statement that he conceived of, in part, "counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available and displaying a listing of each product and when the product is available." The §1.131 Declaration, note 3. Even though previously accepted, the Examiner now maintains that the Declaration and documentation filed December 31, 2003 is inadequate to establish a date of invention prior to December 12, 2000 because "[t]here is no complete disclosure to another of the claimed 'counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available and displaying a listing of each product when the product is available'." Final Office Action of August 26, 2005, pg. 2, ¶1. Appellant hereunder summarizes the several reasons previously set forth requesting that the rejections of the present claims over Christensen et al. be withdrawn.

First, there is no requirement that there be a disclosure to another and the Examiner has not provided any support for such a requirement. Second, contrary to the Examiner's assertion, in the body of the §1.131 Declaration, Inventor Yenerich attests to conception of a method for displaying real-time status of product availability including automatically querying a database, for data about a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment for a plurality of products, and if the date does not exist, skipping that product; otherwise, if a date exists, for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available and displaying a listing of each product and when the product is available for shipment for product availability management. The §1.131 Declaration, note 3. A comparison of what the Examiner alleges the Declaration fails to establish with note 3 of the §1.131 Declaration indicates Inventor Yenerich's understanding that the claims as presently pending are a textualization of that which is shown and described in Exhibit A filed with the §1.131 Declaration. That is, a portion of the evidence submitted with the Declaration is Inventor Yenerich's attestation that, prior to December 12, 2000, he and his co-inventors invented that which is called for in the present claims. The Examiner's rejection of the present claims as unpatentable over Christensen et al. requires complete disregard of the evidence provided in the body of the Declaration. Such disregard is expressly prohibited under MPEP §715.07.I.

Third, the Examiner's refusal to accept the §1.131 Declaration can only be interpreted as requiring verbatim recitation of the claims to be in the exhibit. That is, the Examiner has afforded no degree of interpretation of that which is disclosed in the Exhibit beyond the specific terms used therein. The Examiner has improperly discounted and dismissed Applicant's §1.131 Declaration under the

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mistaken belief that the supporting evidence must recount claim verbiage word for word, regardless of what the Declaration sets forth. It appears as though the Examiner has concluded that which is called for in the claims is not shown in Exhibit A merely because the Examiner's word search thereof failed to elicit the complained of clause. Absent the Examiner's unduly, unauthorized, and constrictive verbiage requirement, that which is claimed is disclosed in Exhibit A.

As shown in the exemplary screen capture on page 5 of Exhibit A (under the heading "Offering"), the present invention includes an "Offering window" along with a sub-menu associated with the selected offering. Exhibit A, pg. 5. As shown therein, the "CT Offering" includes an "LCAT Number" column and a "Status" column associated therewith. Id. As shown in the "Status" column, the Exhibit shows conception of several status identifiers including an "Immediate Shipment" status, a "Call for Availability" status, and a "Shipment within 90 Days" status. Id. Exhibit A necessarily discloses counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available by disclosing the determination of the "Status" shown in the exemplary screen capture on page 5 of Exhibit A. Id. That is, by displaying that a product "Status" is available for "immediate shipment", is a "call for availability", or that there will be a "shipment in 90 days", the Exhibit discloses that which is claimed. In determining which if any of these exemplary "Status" identifiers is applicable to a specific order, the present date is determined, a date when the specific order is going to ship is determined, and the number of days between these two dates is counted or calculated to determine which "status" of the exemplary status identifiers is applicable to a specific order. For example, for a product to be associated with a Status of "Shipment within 90 days" the Exhibit discloses counting a number of days between today (a current date) and the date when the product will be ready for shipment (within 90 days), creating a number of days (within 90 days) before the product is available, and displaying a listing of each product (the LCAT Number) and when the product is available (immediately or within 90 days). The Examiner has provided no reasoning how Exhibit A does not disclose that which Inventor Yenerich attests is disclosed therein. Accordingly, the Exhibit taken with the inventors sworn statement in the §1.131 Declaration filed on 31 December 2003 under 37 CFR §1.131 is clearly sufficient to overcome the Christensen et al (US 2002/0156694) reference.

Consideration of all of the evidence of the §1.131 Declaration of December 31, 2003, entitles Appellant to a date of conception prior to at least December 12, 2000. Accordingly, Appellant believes that a date of conception prior to December 12, 2000 has been established in the above-captioned matter by consideration of all of the evidence filed in the §1.131 Declaration including the Declaration itself and

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the supporting Exhibit A attached thereto. Having established a date of conception prior to December 12, 2000, Appellant has properly ante-dated the earliest date of December 12, 2000 of Christensen et al. As all of the outstanding rejections are based in whole or in part on Christensen et al., Appellant believes that the claims of the present Application are in condition for allowance.

Appellant appreciates the Board's review and consideration of the issues addressed and documentation referred to herein. In light of at least the foregoing, Appellant respectfully requests that the Board direct withdrawal of the rejections based on Christensen et al. and timely issuance of a Notice of Allowance for claims 1-35.

8. **CONCLUSION**

In view of the above remarks, Appellant respectfully submits that the Examiner has provided no supportable position that claims 1-35 are not patentable. There being no remaining rejections, Appellant respectfully requests that the Board direct passage of the present Application to issuance.

**General Authorization for Extension of Time**

In accordance with 37 C.F.R. §1.136, Appellant hereby provides a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefore. Appellant hereby authorizes charging of deposit account no. 07-0845 for the \$500.00 fee for filing this Appeal Brief under 37 C.F.R. §1.17(c).

Respectfully submitted,

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**CLAIMS APPENDIX**

**In the Claims:**

1. (Previously Presented) A method for displaying real-time status of product availability comprising:
  - automatically querying a database, for data about a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment for the plurality of products, and if the date does not exist, skipping that product, otherwise;
  - for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available; and
  - displaying a listing of each product and when the product is available for shipment for product availability management.
2. (Original) The method of claim 1 wherein the step of querying also includes querying the database for a number of orders, a product category for each order, and sales revenue for each order, and further comprises:
  - adding the number of orders for each product category to create a sum of the number of orders for each product category; and
  - adding the sales revenue from each order in each product category to create a sum of the total revenue for each product category;
  - displaying the sum of the number of orders for each product category; and
  - displaying the sum of the total revenue for each product category.
3. (Original) The method of claim 1 wherein the displaying step includes displaying the number of days until the product is available for shipment.
4. (Original) The method of claim 1 further comprising creating a plurality of display categories, wherein each display category depends on the number of days before the product is available.
5. (Original) The method of claim 4 wherein the plurality of display categories includes:
  - displaying a first user-defined message if the number of days before the product is available is greater than a user-defined number; and

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displaying a second user-defined message if the number of days before the product is available is less than a user-defined number.

6. (Original) The method of claim 5 wherein the first user-defined message is "call for availability" and the second user-defined message is "ready for immediate shipment."

7. (Original) The method of claim 1 wherein the step of automatically querying is performed in real-time.

8. (Previously Presented) A computer-readable medium having stored thereon one or more computer programs that, when executed by one or more computers, causes the one or more computers to:

populate a database with data to include a date when each product will be available for shipment for a plurality of products;

periodically query the database to obtain the date for each product while ignoring those products that do not have a valid shipment date;

count a number of days for each product between a current date and the date when the product will be ready for shipment to create a number of days before each product is available;

store the number of days before each product is available in temporary tables;

access the temporary tables to display the number of days before each product is available; and

update the temporary tables periodically.

9. (Original) The computer-readable medium of claim 8 where the computer program further causes the one or more computers to:

apply the number of days before the product is available to a calendar starting from the current date; and

display a date when the product will be available.

10. (Previously Presented) The computer-readable medium of claim 8 where the computer program further causes the one or more computers to:

populate the database with data to include number of orders, a product category for each order, and sales revenue for each order;

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add the number of orders for each product category together to create a sum of the number of orders for each product category;

add the sales revenue for the number of orders in each product category together to create a sum of the total revenue for each product category; and

display the sum of the number of orders for each product category and the sum of the total revenue for each product category.

11. (Original) The computer-readable medium of claim 8 where the computer program further causes the one or more computers to:

create a plurality of categories for display, wherein determination of a category depends on the number of days before the product is available.

12. (Original) The computer-readable medium of claim 11 wherein the plurality of categories includes a first category for orders including orders where the number of days before the product is available is greater than a user-defined number, and a second category for orders including orders where the number of days before the product is available is less than a user-defined number, wherein the computer program further causes the one or more computers to:

display a first user-defined message for each order in the first category; and

display a second user-defined message for each order in the second category.

13. (Original) The computer-readable medium of claim 12 wherein the first user-defined message is "call for availability" and the second user-defined message is "ready for immediate shipment."

14. (Original) The computer-readable medium of claim 11 wherein the plurality of categories includes a category for orders where the number of days before the product is available is within a user-defined range of values, wherein the computer program further causes the one or more computers to:

display a user-defined message for each order within the category.

15. (Original) The computer-readable medium of claim 8 wherein the periodic query of the database is performed at least every time a request for information is made.

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16. (Previously Presented) A computer data signal representing a sequence of instructions that, when executed by one or more processors, cause the one or more processors to:
- maintain a database containing at least a date when each product will be ready for shipment,
  - periodically obtain from the database the date when each product will be ready for shipment while ignoring an entry if such date does not exist;
  - count a number of days between today and the date each product will be ready for shipment to create a number of days before each product is available;
  - store the number of days before each product is available in temporary tables;
  - display the corresponding date when the product will be available; and
  - update the temporary tables to maintain a listing of the number of days before each product is available.
17. (Original) The computer data signal of claim 16 further causing the one or more processors to:
- apply the number of days before the product is available to a calendar starting from the current date; and
  - display the number of days before the product is available.
18. (Original) The computer data signal of claim 16 further causing the one or more processors to:
- display a first user-defined message if the number of days before the product is available is greater than a user-defined number; and
  - display a second user-defined message if the number of days before the product is available is less than a user-defined number.
19. (Original) The computer data signal of claim 16 wherein the one or more processors periodically obtains data every 0 to 60 seconds.
20. (Original) The computer data signal of claim 16 wherein the data is obtained at intervals greater than once a minute.

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21. (Original) The computer data signal of claim 16 wherein the signal obtains data every time information is requested.

22. (Previously Presented) The method of claim 1 wherein displaying when the product is available for shipment is also made available to customers or potential customers.

23. (Previously Presented) A method for displaying real-time status of product availability comprising:

automatically querying a database at regular time intervals for a date when each product will be ready for shipment for a plurality of products, and if the date does not exist, skipping that product, otherwise;

for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available;

displaying when the product is available for shipment; and

wherein the step of querying also includes querying the database for a number of orders, a product category for each order, and sales revenue for each order, and further comprises:

adding the number of orders for each product category to create a sum of the number of orders for each product category; and

adding the sales revenue from each order in each product category to create a sum of the total revenue for each product category;

displaying the sum of the number of orders for each product category; and

displaying the sum of the total revenue for each product category.

24. (Previously Presented) The method of claim 23 further comprising creating a plurality of display categories, wherein the display categories includes at least one of an updated order status, a product status, and a current inventory amount.

25. (Previously Presented) The method of claim 23 wherein the step of automatically querying is performed in real-time.

26. (Previously Presented) A method for displaying real-time status of product availability comprising:



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automatically querying a database at a regular time interval for a date when each product will be ready for shipment for a plurality of products, and if the date does not exist, skipping that product, otherwise;

for each product, counting a number of days between a current date and the date when each product will be ready for shipment to create a number of days before each product is available;

storing the number of days before each product will be available in temporary tables;

accessing the temporary tables to display when each product is available for shipment;

and

updating the temporary tables at the regular time interval.

27. (Previously Presented) The method of claim 26 wherein the temporary tables are updated following a change to the database

28. (Previously Presented) The method of claim 26 further comprising automatically querying the database for data concerning orders, inventory and revenue.

29. (Previously Presented) The method of claim 26 wherein the regular time interval can be adjusted.

30. (Previously Presented) A system for displaying real-time product information comprising:

a database containing data related to a plurality of product categories;

a processing system capable of automatically accessing the data contained in the database at regular time intervals and performing calculations using the data wherein the data pertains to one of product availability, product shipment, and revenue;

a temporary table capable of storing the results of calculations performed by the processing system; and

means for displaying the results stored in the temporary table for product management.

31. (Previously Presented) The system of claim 30 wherein at least one of the plurality of product categories includes when a product will be ready for shipment and wherein the calculations

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comprise counting a number of days between a current date and a date when a product will be ready for shipment to create a number of days before the product is available.

32. (Previously Presented) The system of claim 30 wherein the plurality of categories includes at least one of requested shipping dates, actual shipping dates, and promised shipping dates.

33. (Previously Presented) The system of claim 30 wherein the displaying step includes displaying the number of days until the product is available for shipment.

34. (Previously Presented) The system of claim 30 wherein the means of displaying comprises an Intranet server for providing the results to internal users.

35. (Previously Presented) The system of claim 30 wherein the means of displaying comprises an Internet server for providing the results to customers and potential customers.

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U.S. Serial No. 09/748,520

**EVIDENCE APPENDIX:**

1. The §1.131 Declaration and Exhibit filed December 31, 2003.

DEC. 1.2003 2:33PM GEMS-IT

NO.786 P.2

## BEST AVAILABLE COPY

Patent

Attorney Docket No. GEMS8081.045

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gupta et al.  
Serial No. : 09/748,520  
Filed : December 22, 2000  
For : METHOD AND APPARATUS FOR DISPLAYING  
REAL-TIME STATUS OF PRODUCT AVAILABILITY,  
ORDERS, AND SALES REVENUE  
Group Art No. : 2171  
Examiner : Nguyen, C.

#### CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

- ☐ deposited with the US Postal Service in an envelope addressed to <sup>Mailing</sup> Commissioner for Patents, Washington, D.C. 20231
- ☐ with sufficient postage in first class mail <sup>37 CFR 1.8(a)</sup> ☐ As "Express Mail Post Office to Addressee" Mailing Label No. <sup>37 CFR 1.10</sup>

#### Transmittal

is transmitted by facsimile to Fax No.: 703-872-9306 addressed to Examiner Nguyen at the Patent and Trademark Office.

Date: 12-31-03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

#### DECLARATION UNDER 37 C.F.R. §1.131

We, Aman Gupta, James Yenerich, and Amit Maheshwari, being duly sworn,  
depose and say:

1. That we are the inventors for the above-identified Patent Application;
2. That we have reviewed the claims of this Application;
3. That we conceived in the United States, prior to December 12, 2000, the filing date of the cited Application No. 2002/0156694, the invention as set forth in the aforementioned claims, and in particular, A method for displaying real-time status of

DEC. 1.2003 2:33PM GEMS.IT

NO.786 P.3

Gupta et al.

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S/N: 09/748,520

product availability including automatically querying a database, for data about a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment for a plurality of products, and if the date does not exist, skipping that product. Otherwise, if a date exists, for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available and displaying a listing of each product and when the product is available for shipment for product availability management. Attached Exhibit A is a disclosure stating such.

4. Attached as Exhibited A is a copy of my disclosure to our employer evidencing this invention that was prepared prior to December 12, 2000.

5. That from prior to December 12, 2000 to December 22, 2000, the filing date of the above-referenced Patent Application, we diligently worked toward reducing the aforementioned invention to practice and worked with patent counsel in the preparation of a patent application for the claimed invention.

That the statements made herein are of our own knowledge and are true and made on information and belief that are believed to be true.

We acknowledge that any willful false statements and the like made herein are punishable by fine or imprisonment, or both, and may jeopardize the validity of the application or any patent issuing thereon.

---

Aman Gupta

Dated: \_\_\_\_\_

  
James Yenerich



Dated: 12/1/03

~~JAMES YENERICH~~

Dated: \_\_\_\_\_

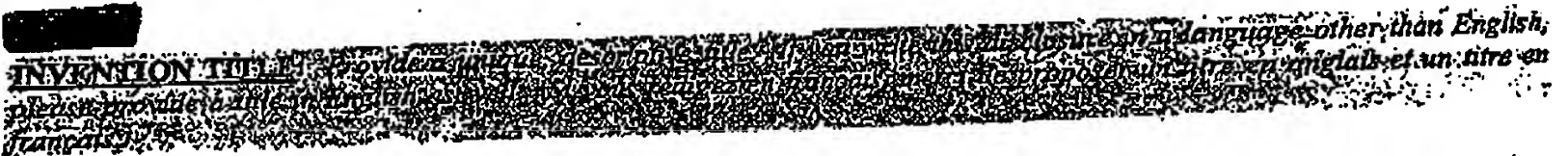
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Amit Maheshwari

 <b>GE Medical Systems</b> <b>Invention Disclosure Form</b> 3000 North Grandview Blvd., W-710 P.O. Box 414, Waukesha WI 53188 (262) 544-3028; Dialcom: 8*320-3028	Docket No.: 
	Mail to: PATENT OPERATION, W-710
	Date Received: _____

- Use as many pages in this word document as necessary.
- You may attach additional materials to support this disclosure, for example, Tech Notes and Drawings. Such submitted materials must be referenced in this disclosure form. Each page of these materials must be dated, signed and witnessed in the same manner as this invention disclosure.

**MODALITY:** (e.g. CT, MR, Ultrasound, X-Ray, etc.)

**INVENTION TITLE:**  *Provide in this section the title of the invention in a language other than English, please provide a title in English and a title in French.*

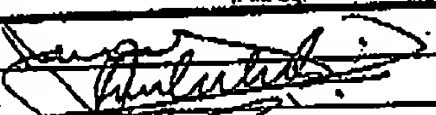


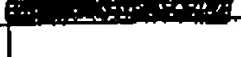

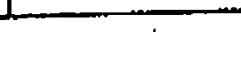
eDisplay

**PROBLEM/BACKGROUND:** *Describe the problem that is solved by the invention. Assume that the reader has a basic knowledge of your diagnostic imaging modality and related technologies.*

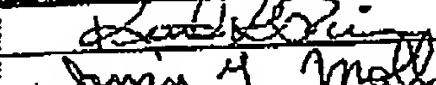

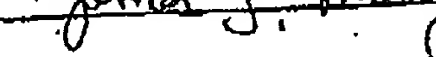
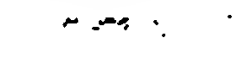
GFMS, lacks the ability to access Real Time information via the internet in the following four areas:

- ♦ Works In Progress  
Pinpoint the Orders that are being worked upon in the Factory. By product, look at orders which have been promised. Look at Promise and Shipment Issues (alerts) to proactively improve customer satisfaction.
- ♦ Equipment/Product Availability  
View the exact availability of our offerings by Modality and Product.
- ♦ Shipments  
View our shipments history -- Quantity of orders being shipped on time. Calculate & Display real time Sigma (quality) values on our shipping performance.
- ♦ Orders  
View Backlog of orders we have booked year to date -- detailed breakdown by Product / Month / Revenue.

Several corporations including GE are implementing Oracle ERP Systems. These systems do not provide real time WIP (works in progress) alerts. Eg. Promise & Ship Alerts. Also, these systems have non-real time paper based mechanisms to report the above information.

INVENTORS (Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich		X		
Amit Maheshwari		X		
* Aman Gupta		X		

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

Read and Understood By:	(Full Signature Below)	DATE
2 WITNESSES (Mandatory) (Print or Type Name Below)		
KEITH L. PIERCE		
JAMES T. MOLLOY		

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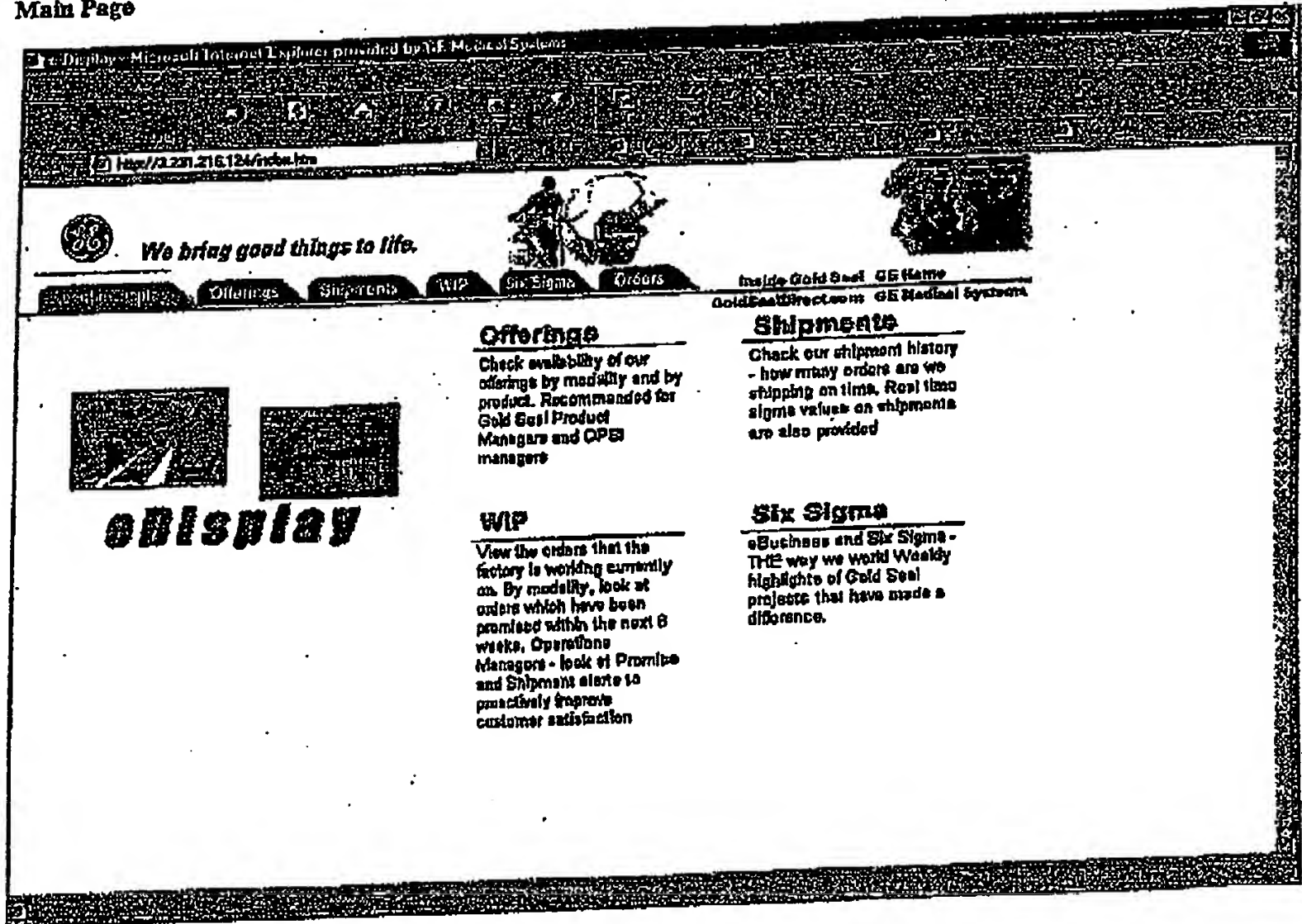
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Page 3

**DRAWING:** Make as accurate a sketch or computer generated figure of your invention as you can and embed it into or attach it to this form. It need not be a drawing to scale, but should be complete enough to show what you have in mind. If you already have suitable photographs, sketches, software flowcharts, or finished drawings, they may be used.

Below are screen shots of the WebBased Application. ( The applications itself consists of different modules, these being Offerings, Shipments, WIP, Orders & SixSigma )

## Main Page



INVENTORS	(Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich			X		
Amit Maheshwari			X		
*Aman Gupta			X		

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

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JAMES T. MOLLOY		

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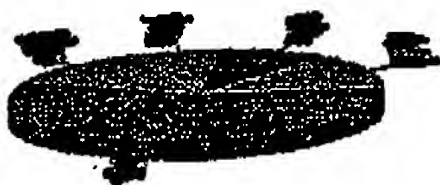


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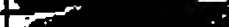
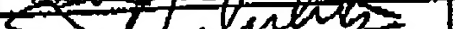

## Orders Year to Date Module

**Orders Year to Date Module**

This module provides information on orders we have booked year to date - detailed breakdown by Product / Month / Revenue.

[illegible]

CT Orders: ☒ MR Orders: ☒ Nuclear Orders: ☒ XRay Orders: ☒ Other Orders: ☒ CT Revenue: ☒

INVENTORS (Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich		X		
Amit Maheshwari		X		
*Aman Gupta		X		
<div style="text-align: right;">           _____            (Inventor Signature and Preparing Attorney)         </div>				

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

Read and Understood By:		(Full Signature Below)	DATE
2 WITNESSES (Mandatory) (Print or Type Name Below)			
KEITH L. PIERCE			
JAMES T. MOLLOY			

U.S. BETADiscForm1/3/2000rev1





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Page 5

## Works In Progress Module

This module allows us to identify the Orders that are being worked upon in the Factory. By modality, we can look at orders which have been promised. Also, Promise and Shipment alerts are displayed at the product level and the FDO (Order) Number level.

Web Display - Work in Progress - Microsoft Internet Explorer provided by GE Medical Systems

http://231.216.124.101/Display/WIP.asp

**We bring good things to life.**

About e-Display Offerings Shipments **WIP** Sir Sigma Orders Inside Gold Bowl GE Home GoldDirect.com GE Medical Systems

### Work In Progress - 2000

Modality	Backlog	WIP	Promise Alerts	Ship Alerts
MR			5	0
XR			0	0

#### Backlog

FDO Number	Request Date	Modality	Alerts
008900084411	06/26/2000	NU	
008900084411	06/26/2000	OT	
008900084411	06/26/2000	OT	
009300294141	06/26/2000	XR	
009300294281	06/26/2000	OT	
009300181071	06/26/2000	XR	
009300194381	06/26/2000	OT	
009300134381	06/26/2000	CT	
009300124131	06/26/2000	OT	
009300124131	06/26/2000	CT	
008900084411	06/26/2000	OT	
008900084411	06/26/2000	OT	
008900084411	06/26/2000	OT	
008900084411	06/26/2000	OT	
008600090531	06/27/2000	OT	
008700084471	06/27/2000	CT	

A-Promise

#### WIP

INVENTORS	(Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich			X		
Amit Maheshwari			X		
*Aman Gupta			X		

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

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2 WITNESSES (Mandatory) (Print or Type Name Below)		
KEITH L. PIERCE		
JAMES T. MOLLOY		

U.S. PAT. & TRADEMARK OFFICE Form 1/31/2000 (rev)



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Page 6

## Offerings Module

This module displays the availability of our Offerings by Modality and Product level

http://3.231.215.124/offerings/index.html - Microsoft Internet Explorer provided by GE Medical Systems

http://3.231.215.124/offerings/index.html

**We bring good things to life.**

Access & Display    **Offerings**    Shipments    WIP    Six Sigma    Orders    Inside Gold Band    GE Home    GE Medical Systems

**Offerings**

Modality	Off. Available	Total Offerings
MR		
XR		

**CT Offering**

LCAT Number	Description	Status
L7870L	SYTEC 2000I	Immediate Shipment
L7870M	SYTEC 3000I	Shipment within 90 days
L7870N	SYTEC 4000I	Shipment within 90 days
L7870H	SYTEC 8000	Call for Availability
L7870J	SYTEC 8000	Shipment within 90 days
L7870K	SYTEC 8000	Shipment within 90 days
L7870L	PROSPEED VX	Shipment within 90 days
L7870B	SYTEC 3000	Call for Availability
L7870D	SYTEC 2000	Immediate Shipment
L7870E	SYTEC 4000	Immediate Shipment
L7800JK	CTI PERFORMX	Shipment within 90 days
L7510JK	CTI BASE	Immediate Shipment
L7898RP	HISPEED ADVANTAGE 2X	

INVENTORS	(Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich		<i>James Yenerich</i>	X		
Amit Maheshwari		<i>Amit Maheshwari</i>	X		
*Aman Gupta		<i>Aman Gupta</i>	X		

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

Read and Understood By:	(Full Signature Below)	DATE
2 WITNESSES (Mandatory) (Print or Type Name Below)		
KEITH L. PIERCE	<i>Keith L. Pierce</i>	
JAMES T. MOLLOY	<i>James T. Molloy</i>	

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# GE Medical Systems Invention Disclosure Form

Page 1

**ADVANTAGES OF THE INVENTION:** Describe the benefits of the invention, both in technical terms (e.g., stronger, new application, faster imaging, etc.) and business terms (e.g., cost savings, product efficiency, etc.).

1. Drive Customer Satisfaction : proactively identify and resolve Customer Delivery Issues. Drives Six Sigma delivery to customer.
2. Improve Productivity : Provides instant access to all the key operations metrics/information. Improves employee productivity.
3. Drive Growth : Provides increased visibility of our Product Offerings to Sales Representatives. Now the Sales Reps can tell our customers about the exact availability of our product offerings in Real Time.

**PRIOR ART:** List all references known to you which may have an impact on the invention (if any). Example: would be existing patents, whether GE or other, and published papers, GE MS invention disclosures, processes, or other written or oral communications, etc. All identified prior art references must be cited in the disclosure and must be made available to the patent attorney.

**CLAIMS:** NOVA 111

INVENTORS (Print or Type Name Below)	(Full Signature Below)	GE	NOT GE	DATE
James Yenerich		X		
Amit Maheshwari		X		
*Aman Gupta		X		

\* = Primary Contact Inventor (to coordinate with Patent Evaluation Board and Preparing Attorney)

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KEITH L. PIERCE		
JAMES T. MULLAY		

STADiscForm/31/2000rev1

Gupta et al.

U.S. Serial No. 09/748,520

**RELATED PROCEEDINGS APPENDIX:**

-- None --